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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CRL.M.C. 534/2017**

AKRAM & ORS

..... Petitioner

Represented by: Mr. Anuj Tomar, Adv.

versus

STATE & ANR

..... Respondent

Represented by: Mr. Ashok Kr. Garg, APP with
Insp. Nafi Singh, SI Manoj
Tomar, PS Seelampur.
R-2 in person.

CORAM:

HON'BLE MS. JUSTICE MUKTA GUPTA

ORDER

27.03.2017

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By the present petition the petitioners seek quashing of FIR No. 589/2007 under Sections 498A/406/34 IPC and 3/4 of Dowry Prohibition Act registered at PS Seelampur, Delhi on the complaint of Respondent No.2 and the proceedings pursuant thereto on the ground that the parties have settled the matter.

Learned APP for the State on instructions from Investigating Officer submits that initially there were ten accused out of which four have passed away namely, Anis, Yunus, Razia and Sabra Khatoon. Thus six petitioners are the remaining accused and respondent No.2 the only complainant/victim.

Respondent No. 2 is present in Court and is identified by the Investigating Officer. She states that she has settled the matter with the petitioners.

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Talakh has been pronounced between the petitioner No.1 and respondent No.2. In lieu of all her claims of maintenance, istridhan, mehar etc., respondent No.2 was to receive ₹3 lakhs out of which she has already received ₹2 lakhs and the balance amount of ₹1 lakh has been received by her today in Court by way of four demand drafts i.e. '077033', '899643', '072643' and '998504' drawn on Vijaya Bank, Dena Bank, State Bank of India and Bank of India respectively. She states that she has now no claim whatsoever remaining against the petitioners. She further states that three children were born out of wedlock who will remain in her care and custody and the petitioners would neither have the custody nor the visiting rights of the said children. She does not wish to pursue the above-noted FIR and the proceedings pursuant thereto.

Petitioners who are present in Court and are identified by the learned counsel affirm the statement of respondent No.2 and state that they will abide by the terms of settlement agreement dated 25th November, 2016 arrived at between the parties before the court of Shri A.S. Jayachandra in Execution Petition No.231/2014 copy of which is annexed as Annexure P-3 to the present petition at pages 38 to 40.

In view of the fact that the parties have amicably resolved their differences of their own free will, volition and without any coercion and no useful purpose will be served in continuance of the proceedings, rather the same would create further acrimony between them, it would be in the interest of justice to quash the abovementioned FIR and the proceedings pursuant thereto. There is no legal impediment in quashing the FIR in question.

Consequently, FIR No. 589/2007 under Sections 498A/406/34 IPC and 3/4 of Dowry Prohibition Act registered at PS Seelampur, Delhi and proceedings pursuant thereto are hereby quashed.

Parties have signed this order sheet in acknowledgment of their statements made before this Court.

Petition is disposed of. Order dasti.

MUKTA GUPTA, J.

MARCH 27, 2017
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